

GAU 18C1

Bayer 9776-KGB  
Le A 30 218-US Bu/MI

7/a  
R. Williams  
10/24/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : HANNO WILD ET AL.  
SERIAL NO. : 08/765,012  
FILED : December 19, 1996  
FOR : HIL-4 MUTANT PROTEINS USED AS ANTAGONISTS  
OR PARTIAL AGONISTS OF HUMAN INTERLEUKIN 4

September 23, 1997

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
OCT 07 1997

GAU 1800

10/09/1998 HHORTO  
01 FC:118

**RESPONSE TO NOTICE TO COMPLY WITH  
SEQUENCE LISTING REQUIREMENTS**

SIR:

In response to the above-identified notice, a copy of which is attached, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Replace original pages 28-31 by the attached replacement pages 28-31 and 31a.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 02-1445.

Need to  
charge 4-mo  
ext.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 02-1445.

REMARKS

The above-identified notice indicated that the original Sequence Listing was defective in a number of respects, all of which defects are believed to be remedied by this submission.

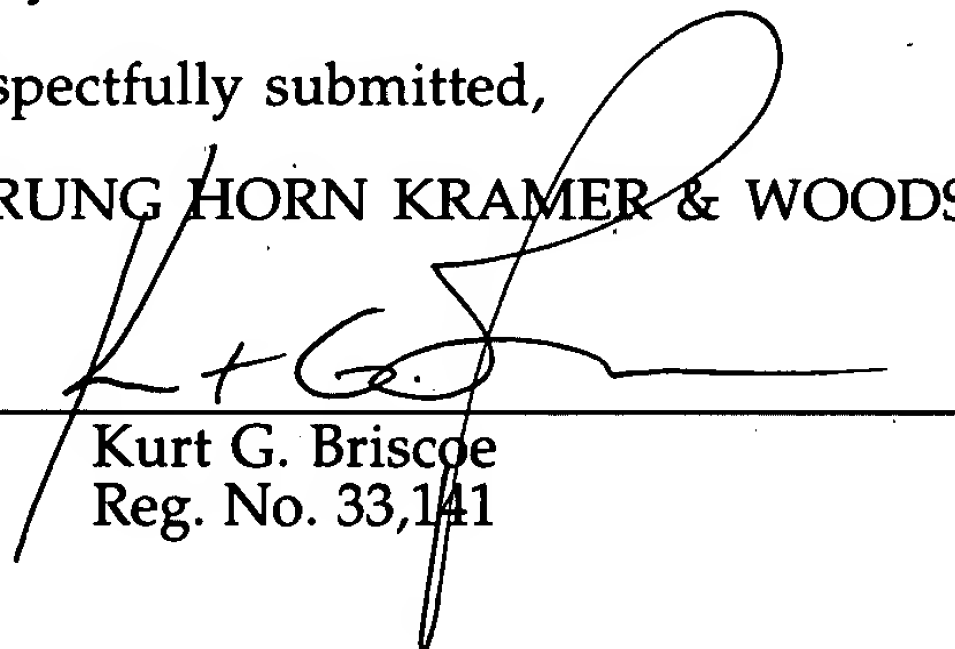
Thus, the paper Sequence Listing is amended by the submission of replacement pages 28-31 and 31a to put the paper Sequence Listing in the proper form for US examination. Specifically, it was necessary to amend the General Information section to recite the information required under the applicable US rules. Also, it was necessary to amend the Information section for each individual sequence to correct the numbering of the Anti-sense and Original Source subheadings. The undersigned hereby certifies that the sequences in the replacement pages are identical to those in the original paper Sequence Listing. No new matter has been added.

Also submitted is a computer readable form of the paper Sequence Listing as amended above. The undersigned hereby certifies that the content of the attached computer readable form is identical to the paper Sequence Listing as amended

above. Again, no new matter has been added.

Early and favorable action is earnestly solicited.

Respectfully submitted,  
SPRUNG HORN KRAMER & WOODS

By   
Kurt G. Briscoe  
Reg. No. 33,141

660 White Plains Road  
Fourth Floor  
Tarrytown, New York 10591-5144  
(914) 332-1700

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date shown below:

Date September 23, 1997

By   
Kurt G. Briscoe



RECEIVED

OCT 07 1997

GRD. 11

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/765,012	12/19/96	WILD	H BAYER 9776-K

SPRUNG HORN KRAMER & WOODS  
660 WHITE PLAINS ROAD  
TARRYTOWN NY 10591-5144

1841/0323

EXAMINER	
BANSAL, G	
ART UNIT	PAPER NUMBER
1806	3

DATE MAILED:

05/23/97

Please find below a communication from the EXAMINER in charge of this application  
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for response beyond the SIX MONTH statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geetha P. Bansal whose telephone number is (703) 305-3955. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lila Feisee can be reached on (703) 308-2731. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1800 receptionist whose telephone number is (703) 308-0196.

  
LILA FEISEE  
SUPERVISORY PATENT EXAMINER  
GROUP 1800

SEP 30 1997

Application No. 08/765,012

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7.

Other: \_\_\_\_\_

**Applicant must provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123  
For CRF submission help, call (703) 308-4212  
For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.